

Senator Burr Works for Veterans in 111th Congress

As Ranking Member of the Senate Committee on Veterans' Affairs, Senator Burr has worked to help improve the lives of veterans, their families, and their survivors. While we can always do more for our nation's veterans, Senator Burr has advocated tirelessly to enact several bills during 2010 that touch on many issues important to the veteran community.

LEGISLATIVE SUCCESSES

1. Facilitate reimbursement for veterans receiving non-VA emergency care treatment

What this bill does: Senator Burr co-sponsored a bill (S. 1963) that contained a measure that permits the Department of Veterans Affairs (VA) to pay the difference between the total cost of an emergency care visit to a non-VA emergency room and the portion of that total cost covered by a veteran's insurance. It also permits the VA Secretary to pay retroactive claims using this new authority.

Helpful Citation: Public Law 111-137

2. Strengthen health services for veterans with more than 50 new provisions in omnibus veterans' health care bill

What this bill does: Senator Burr served as the lead negotiator for Senate Republicans in crafting this omnibus bill. In addition, Senator Burr authored individual provisions of this omnibus, including the caregiver provisions and the dental care pilot (discussed in more detail below).

This health care bill contains over 50 provisions compiled from House and Senate bills, including measures to provide comprehensive assistance to family caregivers of seriously injured veterans, improve access to care for veterans residing in rural areas, improve health care services for women veterans, improve mental health services for veterans, enhance the authorities available to VA for the recruitment and retention of health care professionals, and authorize major construction projects across the nation.

Helpful Citation: Public Law 111-163

3. Provide assistance to caregivers of seriously injured veterans

What this bill does: Senator Burr worked with the family caregivers of seriously injured servicemembers in order to craft the original family caregiver bill with Chairman Akaka (S. 801). The centerpiece of this new law is comprehensive assistance (training, counseling, respite care, a stipend, and health care services) provided to family caregivers of seriously wounded post-9/11 veterans.

Helpful Citations: Public Law 111-163, S. 801, Senate Report 111-80

4. Pass legislation requiring VA to make dental insurance plans available to certain veterans and their dependents and survivors

What this bill does: Senator Burr introduced a bill (S. 498) to provide a dental insurance option for all veterans and survivors enrolled in VA's health care system; worked to ensure this provision was incorporated into the Committee-reported bill, S. 1963, as a pilot program; and then worked to ensure the provision remained in the final legislation sent to the President and enacted as part of Public Law 111-163. This legislation was modeled after the successful dental insurance program available to military retirees and family members under the Tricare Retiree Dental Program.

Helpful Citations: Public Law 111-163; S. 498; section 213 of S. 252; Senate Report 111-60; S. 1963

5. Recognize the 60th anniversary of the outbreak of the Korean War and reaffirm the United States-South Korea alliance

What this resolution does: Senator Burr was the principal sponsor of a joint resolution that recognizes the historical importance of the 60th anniversary of the outbreak of the Korean War, honors the U.S. and allied armed forces that served in Korea, encourages all Americans to participate in commemorative activities to pay tribute to veterans of the Korean War, and reaffirms the commitment of the United States to its alliance with the Republic of Korea.

Helpful Citations: Public Law 111-201

6. Enact omnibus veterans' benefits bill

Description: Senator Burr served as the lead negotiator for Senate Republicans in crafting an omnibus bill that includes over 50 provisions compiled from Senate and House bills, including measures to enhance insurance benefits for veterans, boost the funds available to help severely disabled veterans purchase automobiles that will accommodate their disabilities, increase burial benefits, and strengthen protections under the Servicemembers Civil Relief Act. The increases in veterans' benefits were entirely paid for with a spending offset. The law includes the following veterans' benefits provisions that were sponsored by Senator Burr:

- Provision from S. 1015 (Burr) that allows veterans with severe traumatic brain injuries who need the assistance of others to receive significantly higher amounts of monthly aid and attendance benefits
- Provision from S. 1015 (Burr) that would allow veterans suffering from severe anatomical losses to receive higher disability compensation if they are unable to use prosthetic devices for any reason
- Provision from S. 1016 (Burr) that would eliminate the delay, now required by law, in how soon VA disability payments begin after a catastrophically disabled veteran is medically discharged from the military

Helpful Citations: Public Law 111-275

7. Pass legislation restricting the use of money saved from responsible bidding on major medical facility construction projects

What this bill does: Senator Burr offered an amendment at the Committee's August 2010 markup to direct bid savings on major construction projects to be used on the extensive backlog of projects already authorized in law. He then worked to ensure the provision was included in the bill ultimately enacted into law.

Helpful Citations: Section 905 of Public Law 111-275, section 207 of S. 3325, Senate Report 111-286, H.R. 2379

8. Correct mismanagement at Arlington National Cemetery

What this bill does: In June 2010, the Army Inspector General released a report detailing mismanagement at Arlington National Cemetery (ANC), which led to remains being mislabeled, multiple remains being buried in the same grave, and poor record keeping. To address these problems, Sen. Burr was an original co-sponsor of legislation (S. 3860) that requires that the Secretary of the Army submit an accounting of the gravesites in the cemetery, requires the

Government Accountability Office (GAO) to submit a report on management and oversight of burial operations and contracts at the cemetery, and requires GAO to conduct a feasibility study of transferring control of the cemetery to the Department of Veterans Affairs.

Helpful Citations: Public Law 111-339; S. 3860

9. Comprehensively improve and make technical corrections to the Post-9/11 GI Bill

What this bill does: Senator Burr worked closely with Chairman Akaka as lead Republican negotiator to craft S. 3447, which will make a number of technical changes, substantive reforms, and general improvements to the Post-9/11 GI Bill, such as:

- Creating a single national cap for tuition/fees paid on behalf of students at private colleges (rather than each state having its own cap based on the highest costing public school in that state)
- Allowing Post-9/11 GI Bill benefits to be used for vocational and on-job training
- Providing books and supplies stipends to those using these benefits while on active duty
- Allowing eligibility for certain Guard members who were inadvertently left out
- Allowing a housing allowance for students attending classes entirely on-line

The expansions of benefits were entirely paid for through offsets in spending and, in fact, the Congressional Budget Office estimated that the bill would save \$734 million over 10 years.

Helpful Citations: S. 3447, Senate Report 111-346

10. Urged Committee approval of legislation and an amendment to protect the Second Amendment rights of VA beneficiaries, which prompted VA to take partial corrective action

What this means: Senator Burr introduced a bill (S. 669) to require that a judicial authority make a determination that a VA beneficiary is dangerous to himself or others before their names may be submitted to the NICS list, which list criminalizes the possession and prevents the purchase of firearms. That bill was reported from the Committee in June 2009 but has not passed the Senate. Senator Burr offered an amendment at the Committee's August 5, 2010, markup that would mandate that VA handle appeals for relief from the NICS requirement within 180 days or else such appeals would be effectively granted (versus the 365 day effective denial which was the existing standard). At that time, VA had yet to establish an appeals process as required by law. Subsequent to the Committee's markup, VA issued a "fast letter" to employees directing an appellate process as required under law.

Helpful Citations: S. 669, Senate Rept. 111-27, section 301 of S. 3765, Senate Rept. 111-282

11. Secured Committee approval of legislation to allow VA to issue loans for the construction, rehabilitation, or acquisition of land for transitional housing projects for homeless veterans

What this means: Senator Burr offered legislation to utilize the \$48 million that was originally appropriated in 1999 for the Multifamily Transitional Housing Loan Guarantee Program. This legislation would terminate the old guaranteed loan program and establish a new Multifamily Transitional Housing Loan Issuance Program, which would have greater flexibility in the types of loans offered and the conditions attached to repayment, including payment deferral, interest only payments, special forbearance, balloon payments, debt forgiveness, and other terms and conditions common to the development of transitional housing. The bill also would clarify the type of spaces that may be included in covered Multifamily Transitional Housing projects. Lastly, the bill would

establish a revolving fund known as the “Department of Veterans Affairs Multifamily Transitional Housing Loan Program Revolving Fund.” Senator Burr’s legislation was incorporated in the Committee Bill, S. 1237, and was unanimously reported for full Senate consideration at the Committee’s January 2010 markup.

Helpful Citations: Original Senate bill S. 3377; Committee bill S.1237; Senate Report 111-175

12. Secured Committee approval of legislation to allow retroactive effective date for VA disability compensation awarded based on fully-developed claim

What this means: VA carried out a pilot at 10 VA regional offices through which VA expedited claims that arrived with the necessary evidence – so-called “fully-developed” claims. During 2010, VA expanded the fully-developed claim process to all VA regional offices. However, there is a potential disincentive to use this program, because VA benefits generally cannot be paid for periods before a claim is actually filed. That means the veteran could potentially lose out on benefits for the period between when the veteran began gathering the evidence and when he or she ultimately filed a fully-developed claim. To encourage more veterans to use the fully-developed claim program and, in turn, receive faster decisions on their claims, Sen. Burr offered an amendment at an August 2010 markup providing that, if a veteran submits a fully-developed claim, benefits can begin up to one year earlier than when VA received that claim.

Helpful Citations: Section 7 of S. 3517 (as reported); Senate Report 111-354

13. Secured Committee approval of legislation to require VA to automatically provide cost-of-living adjustments for certain VA benefits

What this means: Current law provides for an automatic cost-of-living adjustment for Social Security benefits based on any annual increase in consumer prices. Although some VA benefits receive automatic increases tied to the adjustments in Social Security benefits, the majority of VA disability compensation benefits paid by VA do not increase automatically when Social Security benefits are increased. Rather, Congress regularly enacts legislation providing a cost-of-living adjustment. At an August 2010 markup, Sen. Burr offered an amendment that would require VA to automatically increase the amounts of certain VA benefits by the same percentage and effective on the same date as adjustments made to Social Security benefits. Sen. Burr also co-sponsored a bill (S. 3359) that contained identical language.

Helpful Citations: Section 21 of S. 3517; Senate Report 111-354

14. Secured Committee approval of legislation requiring VA to develop an action plan for improving the correlation between the pay, advancement, and rewards of VA employees and their job performance

What this means: In July 2010, the United States Office of Personnel Management (OPM) released the results from the 2010 Federal Employee Viewpoint Survey. The results suggest that VA employees do not believe there is a strong correlation between job performance and pay, awards, and promotions. OPM recommended that agencies develop an action plan in response to the survey results. To that end, Sen. Burr offered an amendment at an August 2010 markup that would require VA to submit to Congress an action plan for improving the correlation between the pay, advancement, and rewards of VA employees and their job performance.

Helpful Citations: Section 22 of S. 3517; Senate Report 111-354

OTHER LEGISLATIVE EFFORTS

1. Actively pursued legislation to provide VA health care to veterans and their families affected by exposure to contaminated water at Camp Lejeune

Description: Amendments offered at the Committee's January and August 2010 markups would have provided VA health care coverage to veterans and family members for care associated with diseases related to contaminants in water present at Camp Lejeune.

Why it's important: Senator Burr twice offered amendments at Committee markups to provide VA health care to affected veterans and family members exposed to contaminated drinking water at Camp Lejeune. Although the amendments failed, Senator Burr believes that the issue of caring for those exposed at Camp Lejeune cannot be punted to the Department of Defense (DoD). Sen. Burr has also argued that requiring DoD to pay for health care of family members would ultimately be blocked by the Armed Services Committee due to jurisdictional concerns.

Helpful Citations: S. 1518; supplemental views in Senate Rept. 111-175 and Senate Rept. 111-286

2. Worked to prevent VA from transferring additional funds to the Filipino Veterans Equity Compensation Fund

Description: Senator Burr offered a floor amendment to the Supplemental Appropriations Act that would have eliminated provisions in the underlying bill to authorize VA to transfer up to \$67 million from VA major construction bid savings to the Filipino Veterans Equity Compensation Fund.

Why it's important: Senator Burr argued that savings from major construction bids ought to be applied to meet those needs rather than transferred to pay shortfalls in pension payments to Filipino veterans. Senator Burr is willing to prioritize where scarce dollars are allocated. In this case, he found it more important to meet the needs of VA's hospital system rather than transfer payments to Filipino veterans, many of whom reside in the Philippines.

Helpful Citation: Senate Amendment 4273 to H.R. 4899

3. Efforts to enact legislation to restrict the growth of the budget for VA's Office of Congressional and Legislative Affairs

Description: Senator Burr offered an amendment at the Committee's August 5, 2010, markup that would have held the growth in VA's Office of Congressional and Legislative Affairs to 3% (from FY2010 to FY2011) instead of the President's proposed 20% increase.

Why it's important: Sen. Burr continues to pursue effective oversight of runaway budget growth and is willing to use explicit authorization caps to rein in spending in VA support offices when necessary.

Helpful Citation: August 5, 2010, Committee on Veterans' Affairs markup

4. Pursued resolution supporting the observance of Spirit of '45 Day

Description: Sen. Burr was an original co-sponsor of a resolution expressing support for observance of Spirit of '45 Day to commemorate the anniversary of the end of World War II on August 14, 1945.

Helpful Citation: S. Con. Res. 70

NORTH CAROLINA VA PROJECTS

NC VA Facilities opened in 2010

- 1) Rutherford County** *opened January 2010*
374 Charlotte Rd
Rutherfordton, NC 28139
(828) 288-2780

Please click [here](#) for information on services available and directions to the location.

- 2) Hickory II** *opened June 2010*
2440 Century Place SE
Hickory, NC 28602
(828) 431-5600

Please click [here](#) for information on services available and directions to the location.

- 3) Winston-Salem II** *opened September 2010*
190 Kimel Park Dr.
Winston Salem, NC 27103
(336) 768-3296

Please click [here](#) for information on services available and directions to the location.